

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

Criminal No. 12-966 PJK

RAYVELL VANN,

Defendant.

**ORDER FOR DISCOVERY UNDER FED. R. CRIM. P. 16**

THIS MATTER HAVING COME BEFORE the Court on Defendant's motion for discovery under Fed. R. Crim. P. 16 filed October 26, 2012 (Doc.77), and this Court, being fully informed (and there being no objections except regarding the request for policies pertaining to the destruction of the two bottles of phencyclidine),

HEREBY FINDS AND ORDERS, pursuant to Fed. R. Crim. P. 16, that the Defendant's motion (Doc.77) is well-taken and granted, and that the United States shall provide to defense counsel prior to trial: (1) the results or reports of any scientific test or experiment by the hazardous waste contractor or any DEA laboratory pertaining to the two bottles of substances or mixtures allegedly containing phencyclidine, including any estimate of how much by weight and volume each substance or mixture the bottles contained and the purity

and concentration of phencyclidine each bottle contained;

(2) the results or reports of any scientific test or experiment by any DEA laboratory pertaining to the two samples taken from the bottles of substances or mixtures allegedly containing phencyclidine, including any estimate of how much by weight and volume each substance or mixture the bottles contained and the purity and concentration of phencyclidine each sample contained; and

(3) a written summary of any testimony that the government intends to use under Rules 702, 703, or 705 of the Federal Rules of Evidence in its case-in-chief at trial, and that summary must describe the witness's opinions, the bases and reasons for those opinions, and the witnesses qualifications.

10/26/2012

/s/Paul Kelly, Jr.  
THE HONORABLE PAUL J. KELLY, JR.  
UNITED STATES CIRCUIT JUDGE  
SITTING BY DESIGNATION

APPROVED BY:

/S/ Todd Hotchkiss  
TODD HOTCHKISS  
FRECHETTE & ASSOCIATES, P.C.  
Attorney for RAYVELL VANN

No opposition on October 26, 2012  
DAVID M. WALSH  
ASSISTANT UNITED STATES ATTORNEY